

**BOX AF
RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3738**

**PATENT
Attorney Docket No. 101.0078-00000
Customer No. 22882
Express Mail No. EV 044 233 542 US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Gary K. Michelson, M.D.)	Group Art Unit: 3738
)	
Serial No.: 09/593,591)	
)	
Filed: June 13, 2000)	Examiner: P. Prebilic
)	
For: MANUFACTURED MAJOR LONG)	
BONE RING IMPLANT SHAPED TO)	
CONFORM TO A PREPARED)	
INTERVERTEBRAL IMPLANTATION)	
SPACE)	

Assistant Commissioner for Patents
Washington, D.C. 20231
Sir:

**REQUEST FOR APPROVAL OF DRAWING CHANGES AND SUBMISSION OF
SUBSTITUTE FORMAL DRAWINGS**

Subject to the approval of the Examiner, it is respectfully requested that Fig. 11 be added and Figs. 4 and 8 be amended as indicated in red on the attached drawings in the above-identified application.

Upon approval, please replace the informal drawings with the four (4) sheets of formal drawings filed herewith (Figures 1-11). If the formal drawings for any reason are

not in full compliance with the pertinent statutes and regulations, please so advise the undersigned

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: December 17, 2002

By: 

Amedeo F. Ferraro

Reg. No. 37,129

Attorney for Applicant

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: (703) 679-9300
Facsimile: (703) 679-9303

FAXED COPY RECEIVED

MAR 12 2003

TECHNOLOGY CENTER 3700

MARTIN & FERRARO, LLP
14500 Avion Parkway - Suite 300
Chantilly, Virginia 20151

Telephone
(703) 679-9300

Facsimile
(703) 679-9303

FACSIMILE TRANSMITTAL

TO:

Name: Examiner P. Prebilic

Firm: U.S. Patent & Trademark Office

Fax No.: 703-746-3361

Subject: U.S. Patent Application No. 09/593,591

Gary K. Michelson, M.D.

Filed: June 13, 2000

MANUFACTURED MAJOR LONG BONE RING

IMPLANT SHAPED TO CONFORM TO A

PREPARED INTERVERTEBRAL

IMPLANTATION SPACE

Attorney Docket No. 101.0078-00000

Customer No. 22882

FROM:

Name: Todd M. Martin

Phone No.: 703-679-9300

No. of Pages (including this): 49

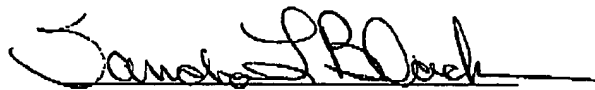
Date: March 12, 2003

Confirmation Copy to Follow: NO

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached copies of the Stamped Postcard Receipt, Transmittal (in duplicate), Amendment with attachments (including copy of Information Disclosure Statement, Form PTO-1449, and reference cited therein as originally filed on February 5, 2002), Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with 3 sheets of red-lined drawings and four sheets of formal drawings, as originally filed on December 17, 2002 are being facsimile transmitted to the U.S. Patent and Trademark Office on March 12, 2003:


Sandra L. Blackmon

If there is a problem with this transmission please call Sandy Blackmon at 703-818-3219 or the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Gary K. Michelson, M.D.

U.S. Serial No.: 09/593,591

Filed: June 13, 2000

Group Art Unit: 3738

Examiner: P. Prebilic

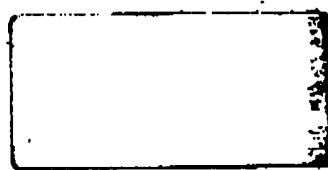
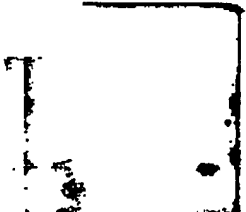
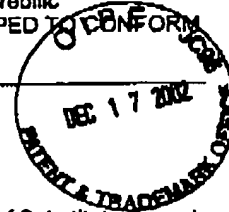
For: MANUFACTURED MAJOR LONG BONE RING IMPLANT SHAPED TO
TO A PREPARED INTERVERTEBRAL IMPLANTATION SPACE

1. Certificate of Mailing via Express Mail (EV 044 233 542 US)
2. Transmittal (in duplicate)
3. Amendment with attachments
4. Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings

Dated: December 17, 2002

Docket No. 101.0078-00000

Customer No. 22882



BOX AF
RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3738

PATENT
Attorney Docket No. 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No.: 09/593,591

Filed: June 13, 2000

For: MANUFACTURED MAJOR LONG
BONE RING IMPLANT SHAPED TO
CONFORM TO A PREPARED
INTERVERTEBRAL IMPLANTATION
SPACE

)
)
) Group Art Unit: 3738
)
) Examiner: P. Prebilic
)
)

FAXED COPY RECEIVED

MAR 12 2003

TECHNOLOGY CENTER 3700

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. EV 044 233 542 US

Date of Deposit: December 17, 2002

I hereby certify that:

1. Transmittal (in duplicate)
2. Amendment with attachments
3. Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Date:

12/17/02


Anita Chou

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: 703-679-9300
Facsimile: 703-679-9303

FORM PTO-1083

BOX AF
 RESPONSE UNDER 37 C.F.R. 1.116
 EXPEDITED PROCEDURE
 EXAMINING GROUP 3738

PATENT
 Attorney Docket No.: 101.0078-00000
 Customer No. 22882
 Express Mail Label No. EV 044 233 542 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No.: 09/593,591

Filed: June 13, 2000

For: MANUFACTURED MAJOR LONG BONE
 RING IMPLANT SHAPED TO CONFORM TO A
 PREPARED INTERVERTEBRAL IMPLANTATION
 SPACE

Group Art Unit: 3738

Examiner: P. Prebilic

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a reply to the Office Action dated September 17, 2002 in the above-identified application.

- ☒ No additional fee is required.
☒ Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	129	-	147	=	0	LG=\$18	\$18	\$ 0
INDEPENDENT CLAIMS FEE	3	-	5	=	0	LG=\$84	\$84	\$ 0
TOTAL								\$ 0

- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.
☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
 MARTIN & FERRARO, LLP

Date: 12-17-02

By:

Amadeo F. Ferraro
 Amadeo F. Ferraro
 Registration No. 37,129
 Attorney for Applicant

14500 Avion Parkway, Suite 300
 Chantilly, VA 20151-1101
 Telephone: 703-679-9300
 Facsimile: 703-679-9303